

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**JENNIFER BAWDEN,**

**Plaintiff,**

**-against-**

**DAVID K. TOWNES,**

**Defendant.**

**19-CV-8034 (ALC)(OTW)**

**ORDER ENTERING  
DEFAULT JUDGMENT**

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**ANDREW L. CARTER, JR., District Judge:**

On August 28, 2019, Plaintiff filed a Complaint against Defendant David K. Townes. ECF No. 1. A copy of the Summons and Complaint were personally served on Defendant on September 17, 2019 through a process server. ECF No. 14. Defendant's Answer to the Complaint was stricken from the record following a Report and Recommendation from Magistrate Judge Ona T. Wang that detailed Defendant's non-compliance with discovery obligations, failure to follow Court orders, and lack of appearance at conferences. ECF No. 95. The Report and Recommendation was adopted by this Court at ECF No. 99. Plaintiff obtained a Clerk's Certificate of Default on April 25, 2022, ECF No. 107, and filed a Motion for Default Judgment on May 23, 2022. ECF No. 110.

On February 13, 2023, this Court entered an Order to Show Cause as to why default judgment should not be entered against Defendant, pursuant to Fed. Rs. Civ. P. 37 and 55. ECF No. 113. The Order to Show Cause was served on Defendant by Certified Mail and Email on February 14, 2023. Defendant's response was due on February 27, 2023. As of this date, no

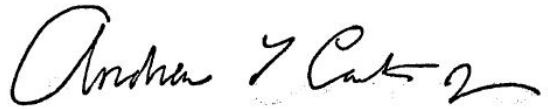
response or request for an extension of time has been received by this Court.

Upon the Declaration of Danilo Bandovic, Esq. in Support of Default Judgment, and the exhibits attached thereto, the Court GRANTS Plaintiff default judgment against David K. Townes as to liability. The Court will enter an Amended Order of Reference to Magistrate Judge Ona T. Wang for an inquest regarding damages.

Plaintiff is directed to serve a copy of this Order to Show Cause upon Defendant, on or before **Mar. 16, 2023**, and file proof of service by that deadline. The Clerk of Court is respectfully directed to terminate the open motion at ECF No. 110.

**SO ORDERED.**

**Dated:**           **New York, New York**  
                      **March 2, 2023**

A handwritten signature in black ink, reading "Andrew L. Carter, Jr.", written in a cursive style.

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**ANDREW L. CARTER, JR.**  
**United States District Judge**